

871—23.47(96) Termination of accounts because of no wage reports.

23.47(1) If an employer discontinues business or continues business without employment, the employer may request that the employer's account be placed into pending status. The term "pending" refers to an account that is placed in inactive status pending termination as provided in Iowa Code section 96.8(4) "b." Upon determination of pending status, the department shall notify the employer on Form 65-5308, Notice of Employer Status and Liability, that the employer's account has been placed in inactive status and that the employer shall no longer receive a quarterly reporting Form 65-5300, Employer's Contribution and Payroll Report. While in pending status, the business is not required to file quarterly reports. However, the employer must notify the department if, at any time, the employer resumes paying Iowa wages.

23.47(2) If, at any time, the department finds by employer liability investigation or otherwise that an employer has discontinued business or is no longer paying wages, the department may on its own motion place the account in pending status. However, the employer must notify the department if, at any time, the employer resumes paying Iowa wages.

23.47(3) If, at any time prior to termination, a pending account is found to have paid wages in any quarter, the employer account shall be reactivated, reports secured for all quarters in which the account was in pending, including no wage reports for quarters for which there was no employment, and the account shall receive an experience rating; provided, the account has been in existence long enough to qualify for an experience rating.

23.47(4) If, on the rate computation date, the department finds that an employer has not paid wages during the eight consecutive calendar quarters immediately preceding the computation date, the employer's account shall be terminated effective the January 1 following the computation date. However, if the employer pays wages after the computation date and prior to the following January 1, the employer's account shall not be terminated, and the employer will receive an assigned rate or an experience rating.

This rule is intended to implement Iowa Code sections 96.7(2) "c" and "d" and 96.8(4) "b."